

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER  
MAY 12, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, May 12, 2009, in the Council Chambers of City Hall located at 610 Main Street.

**CALL TO ORDER**

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

**ROLL CALL**

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose 'Butch' Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, Personnel/Safety Director Charles Schneider, City Engineer Chad Hurm, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein, and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All board members were present; therefore, there was a quorum for the meeting.

**PLEDGE OF ALLEGIANCE**

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

**APPROVAL OF THE MINUTES**

The board members examined the minutes of the regular meeting held on April 28, 2009. A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to approve the minutes as published. Motion carried 3-0.

Mayor Schmitt then asked the Board to approve the memorandum from the April 28, 2009 executive session.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to approve the memorandum. Motion carried 3-0.

**PROHIBIT PARKING ON 1<sup>ST</sup> AVENUE**

Stan Knies, representing Jasper Rubber Products, requested 'No Parking' on the south side of 1<sup>st</sup> Avenue beginning at the intersection of Truman Road and 1<sup>st</sup> Avenue then going east for approximately 350 feet. Knies said the area gets congested when trucks travel to plant 3.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to recommend to the City Council to restrict parking on the south side of 1<sup>st</sup> Avenue from Truman Road east for 350 feet. Motion carried 3-0.

**INDIANAPOLIS COLTS FAN FEST**

Nancy Eckerle, representing the Jasper Chamber of Commerce and the Indianapolis Colts, said the Colts want to bring a fan bus to Jasper on Tuesday, June 30. They looked at several locations and prefer the City Square. Eckerle asked permission to close off the south half of the Square to Fifth Street for their festivities. Set up will begin about 1:00 p.m. with festivities beginning at 5:00 p.m.

Mayor Schmitt asked if traffic will be able to flow around the Square until 5:00 p.m. when it starts. Eckerle said she will have to check with the Colts.

A **motion** was made by Thomas Schmidt and seconded by Ambrose ‘Butch’ Schitter to approve the request of the Indianapolis Colts to close the south half of the Square on June 30, 2009 from 1:00 p.m. to departure time. Motion carried 3-0.

Under discussion, Police Chief Douglas Tarvin asked about the people who park their vehicle on the Square. The street department was instructed to place no parking signs in front of the business places after 1:00 p.m. Eckerle asked if the police would provide security for crowd control. Mayor Schmitt asked the police chief to have appropriate staff there.

#### **REPLACE FORKLIFT AND LOADER**

Street Commissioner Raymond Eckerle asked permission to seek quotes for a forklift to replace a 1970 Allis Chalmers fork lift and seek quotes for a loader. An old loader will be traded in but the old forklift will be sold at a future auction or sold for scrap iron.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to allow the street department to seek quotes to replace a fork lift and a loader and come back at the next BPWS meeting with three quotes. Motion carried 3-0.

#### **STREET CLOSINGS**

Street Commissioner Raymond Eckerle asked permission to close Jackson Street and Main Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets when two new railroad crossings are installed. This would enable three train cars to be stacked. He said the street department will be helping with the asphalt. Eckerle said he does not have a closure date but all the streets would not be closed at the same time.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to grant the street department permission to close Jackson Street and Main Street as needed upon providing proper notification. Motion carried 3-0.

#### **LANDFILL CONSULTING SERVICES AGREEMENT**

Street Commissioner Raymond Eckerle said to complete the landfill post closure project that was suppose to have a ten-year post-closure period, the City is trying to get a firm on board with Donan Engineering. As part of the requirements, Donan, who was contracted by the City, has been conducting inspections, monitoring for methane and testing well samples. Because some groundwater samplings showed containment concentrations to be above acceptable IDEM limits, IDEM has requested Jasper continue to monitor the wells past the ten year limit without giving us a clear understanding when the obligations will be met. Eckerle said August Mack

Environmental Inc from Indianapolis provides landfill consulting services. They could partner with the City of Jasper and Donan and provide regulatory technical support with the objective of achieving approval from IDEM to end the landfill post closure obligation.

Mayor Schmitt said the City needs someone who can speak IDEM's language and has background knowledge in this type of service. August Mack has submitted a proposal not to exceed \$10,000 to begin the initial data evaluation and review. They will notify us if additional funds are needed to complete the process.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to have the City Attorney make minor adjusts to the agreement with August Mack then enter into said agreement with August Mack to monitor the landfill post closure and authorize the Mayor to sign the agreement. Motion carried 3-0.

### **ICE STORM FEMA REIMBURSEMENT**

Personnel/Safety Director Charles Schneider gave the following report on the final amounts submitted to FEMA for federal reimbursements for expenses incurred from the January 26, 2009 storm:

Cat. A Debris Removal	\$44,471.53 Cost
Cat. B Emergency Protective Measures	\$78,509.55 Cost
Cat. F Public Owned Utilities	<u>\$47,141.92</u> Cost
	\$170,123.00 Total Costs

*Federal Reimbursement:* \$170,123.00 X 75% = \$127,592.25

### **CLARK DIETZ CONTRACT**

City Engineer Chad Hurm asked the Board to enter into a contract with the engineering firm Clark Dietz, Inc to design a portion of the City wide walking path starting at the intersection of St. Charles Street and Schuetter Road then north along St. Charles Street to the intersection on Northwood Avenue. A portion of the existing path is in disrepair and part of Phase I is started, but not finished. The contract is in three phases; study report, preliminary design, and final design. The total contract is not to exceed \$24,000.00.

Thomas Schmidt asked why we aren't continuing where we left off on St. Charles Street and going to Schuetter Road. Hurm said that sidewalk area will be done in-house and we will not use Federal money.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request of the city engineer to enter into an agreement for the design of the path from Schuetter Road north along St. Charles Street to Northwood Avenue. Motion carried 3-0.

Mayor Schmitt said Clark Dietz is looking at cost estimates for a path along 36<sup>th</sup> Street between Hartford and Germantown. We may do a section of sidewalk from the entrance of the Germantown Shopping Center on 36<sup>th</sup> Street east to Newton Street in-house.

### **GIS TECHNICIAN COMPUTER QUOTES**

City Engineer Chad Hurm presented the following quotes that all met the minimum specifications for a Desktop Computer for the GIS Technician:

Dell	\$1,742.00
------	------------

Eck Mundy	\$1,800.00
HP	\$1,963.00
@Xi	\$2,309.00

Hurm recommended the low quote from Dell for \$1,742.00. He also said the old computer will be used within the department.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to accept the low quote from Dell for \$1,742.00. Motion carried 3-0.

### **HIGH WEED COMPLAINTS**

Fire Chief Kenneth Hochgesang reported to the board the names of property owners and the location that has been cited under 5.12.040 weed removal/notice. The names and locations are as follows:

<b>Owners</b>	<b>Location</b>
Jeffrey & Cynthia Brant	4646 Picadilly Circle, Mission Valley Lot 12
Wells Fargo Bank N.A.	Sheriff’s Sale 5-26-09 Letter sent 5-4-09
Barbara Hansen	619 W 8 <sup>th</sup> St, Terrace Heights Lot 28
Gregory & Christine Birge	S. Justin, Paradise Place Lot 1
Allan & Judith Holweger	Meridian Rd, Brentwood Subdivision Lot 2
S Corporation	10 <sup>th</sup> & Emily St, Arbor Place Lot 1
Communication Properties	Kellerville Rd near 15 <sup>th</sup> , PT NW 25-1-5-6.0A Diana Birkle
	325 W 8 <sup>th</sup> St, Rich F. Milburn Add Lot 27
Judith Peavier	Adam Blessinger 1 <sup>st</sup> Add Lot 2
Jeffery & Julie Adams	2413 Scenic CT, PT SW SW 23-1-5
Arnold L. Scherle	Near 1457 W 5 <sup>th</sup> Ave, Petry’s 1 <sup>st</sup> Add Lot 41
Thomas W. Berg	4685 Rhine Strasse, Badendorf IV Lot 152
Anthony E. Ward	1457 W 5th Ave, Petry’s 1 <sup>st</sup> Add Lot 29
Gregory & Denise Survanice	220 Lechner Lane, Golden Acres Est Lot 41
Fuhs Properties, LLC	D.J. Realty Corp 3 <sup>rd</sup> Ave Lot 2
Herbert & Mary Ann Schwenk	PT SW NW 35-1-5, next to Fitness Factory
Jasper Wood Products	Maurice De St Palais Lots 41,42,43,44,45

### **VEHICLE MAINTENANCE REPORT**

Fire Chief Kenneth Hochgesang distributed a copy of the April 2009 vehicle maintenance report for the fire department.

### **HOUSE FIRE**

Fire Chief Hochgesang reported that last night the fire department was at the scene of a house fire at 110 W 10<sup>th</sup> Street for approximately 2.5 hours. The fire will be investigated and he believes the house is not repairable.

### **RESOLUTION NO. BPWS 2009-6**

City Attorney Sandra Hemmerlein presented Resolution No. BPWS 2009-6 that amends the City of Jasper Volunteer Fire Department Member Employee Handbook to change policy 301. The amendment changed the words pension plan to retirement plan.

A **motion** was made by Ambrose ‘Butch’ Schitter and seconded by Thomas Schmidt to pass and adopt Resolution No. BPWS 2009-6. Motion carried 3-0.

### **POLICE DEPARTMENT-CHAIR TRANSFERS**

Police Chief Douglas Tarvin presented the following list of chairs that were transferred to other departments or that need to be destroyed or placed in a future auction:

- #100247 – Chair request to Junk
- #100221 – Chair – Transfer to Park & Rec
- #100215 - Chair – Transfer to Wastewater
- #100216 – Chair – Transfer to Park & Rec
- #100220 – Chair – Transfer to Wastewater
- #100192 – Chair - For auction upon approval
- #100194 – Chair – Transfer to Wastewater

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the list of assets to be junked, transferred, or placed in an auction as described by the police chief. Motion carried 3-0.

### **HONOR FALLEN OFFICERS**

Police Chief Douglas Tarvin stated that May 10 to May 16 is National Law Enforcement Week and May 15 is Peace Officers Memorial Day honoring police officers who have lost their lives in the line of duty. He stated that Officer Jeff Carie and State Police Officer Chad Dick will be attending a ceremony in Washington, D.C. Tarvin asked that flags on the City’s buildings be flown at half staff on Friday, May 15.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt that on May 15, 2009 all flags on municipal buildings fly at half staff in honor of fallen police and public safety officials. Motion carried 3-0.

### **POLICE REPORT**

Police Chief Douglas Tarvin presented to the Board for its review the following reports from the Jasper Police Department:

- Monthly Activity Report for April, 2009
- Monthly Fuel and Maintenance Report for March and April, 2009

### **EASEMENTS**

City Attorney Sandra Hemmerlein presented the following easements for acceptance and approval:

#### *Grant of Permanent Water Utility Easement*

G. Scott Schwinghammer – 30 foot utility easement in the part of the NW ¼ of the NW ¼ of S24, T1S, R5W and 30 foot utility easement in the part of the NE ¼ of the NE ¼ of S23, T1S, R5W

#### *Grant of Permanent Electric Utility Easement*

Adam A. Luebbehusen – Part of Lot 46 in Theodore Reyling’s First addition to the City of Jasper

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to accept and approve the easements as described by the City Attorney. Motion carried 3-0.

**Discussion.** Thomas Schmidt said Smithville Telephone who is running a line from Dale to French Lick has markers everywhere in the easements. He said the markers are sticking out of ground and asked if the City could regulate this. City Attorney Hemmerlein said it is the City's right-of-way but since it is a public right-of-way, they are allowed to be there. Hemmerlein said if the City wants Smithville to avoid having the markers stick out so far, the City could write the company a letter addressing this issue.

**CLAIMS.** Claims against the City from April 10, 2009 to May 7, 2009 were presented to and examined by the board. Those claims found to be just, due and owing were approved 3-0 upon **motion** by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter.

**ADJOURNMENT.** There being no further business to come before the board, a motion was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:18 a.m.

The minutes were hereby approved \_\_\_\_\_ with   X   without corrections or clarification this 26<sup>th</sup> day of May, 2009.

---

**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

---

**Juanita S. Boehm, Clerk-Treasurer**

Margaret A. Kress, Recording Secretary